

EXTERNAL

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EXTRA 151/96

Fear of "disappearance" / Fear of torture 26 September 1996

TURKEY Müzeyyen Kaya (f), head of HADEP women's branch in Bingöl
Sibel Küçükbilezikçi (f)
Ayhan Aydemir
Murat Ertan

Amnesty International is concerned about the safety of the four people named above who have been held in unacknowledged detention in Bingöl since 18 September 1996.

At about 1pm on 18 September Müzeyyen Kaya, head of the women's branch of the People's Democracy Party (HADEP) in Bingöl, her friends Sibel Küçükbilezikçi, Murat Ertan and Ayhan Aydemir were detained after an identity check by plainclothes police at a minibus stop in the centre of Bingöl. Niyazi Azak, chairman of HADEP in Bingöl, applied to Bingöl Police Headquarters for information as to their whereabouts. Reportedly officials there told him, *"These people are not with us"*. The officials, apparently sarcastically, also said that the four people detained may have "gone up to the mountains", meaning they may have joined the fighting units of the PKK.

According to Niyazi Azak, *"Many people saw these persons being taken into detention. Also a person released from detention on 19 September said that he had seen them in the Anti-Terror Branch. Security nonetheless claims that these people are not in detention. We want them to be brought before the judge as soon as possible"*

BACKGROUND INFORMATION

Fears for people in unacknowledged detention are heightened by the recent discovery of nine corpses in the Diyarbakır region. On 14 September, five bodies were discovered around Baharlı village near Bismil, province of Diyarbakır. They had their hands tied behind their backs and had been killed with a single bullet to the head. One of them was later identified as Esat Yağar who reportedly had been detained in the Lice district of Diyarbakır on 6 September 1996. Others were identified as Faik Orak, Nasır Alan (19) and Nuri Yiğit. Faik Orak had been detained in Kürekli village near Çınar on 8 September, and Nasır Alan and Nuri Yiğit had been detained at their homes in Diyarbakır. Faik Orak's father reported that his son had been detained by Special Team members and that his detention had been denied.

According to Nasır Alan's father, armed men in plain clothes carrying two-way radios had raided their house on 9 September and taken his son away. Nasır Alan telephoned his parents about an hour later saying *"I am going to testify, I'll be home in an hour"*. When he did not come back, his father applied for information to the police who denied holding Nasır Alan, and three times to the prosecutor's office, in vain. When he saw his son's corpse in the morgue, it was without clothes except for an undershirt, bore burn marks of cigarettes having been extinguished on the body, and the skin was torn as it had been dragged on the ground.

Four more bodies reportedly were discovered between 15 and 17 September. They included the body of a man found between Kağıtlı and Bağdere police stations near Diyarbakır Kacaköy. Villagers reportedly stated that they had witnessed the detention of a man and two women and the execution by shooting of the young man. The discovery also included the corpses of a man and a woman found on 17 September near Soğanlı village in the district of Diyarbakır. According

to one newspaper report they were unrecognizable because their heads had been burned.

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency such as Bingöl, and for 15 days in the rest of Turkey. When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification of their families, are almost universally ignored. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern about the safety of Müzeyyen Kaya, Sibel Küçükbilezikçi, Murat Ertan and Ayhan Aydemir, detained on 18 September in the centre of Bingöl and since held in unacknowledged detention;
- urging that their whereabouts be established without delay, their detention registered and their relatives and lawyers promptly informed;
- seeking assurances that they will not be subjected to any form of ill-treatment;
- calling for the detainees to be promptly brought before a judge to be charged or released;
- asking to be informed of any charges brought against them.

APPEALS TO:

1. Bingöl Chief Prosecutor:

Bingöl Cumhuriyet Ba_savc_s_
C. Ba_savc_l____
Bingöl, Turkey

Telegrams: Bassavcisi, Bingol, Turkey

Salutation: Dear Prosecutor

2. State Minister with responsibility for Human Rights:

Mr Lütfü Esengül
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr

Faxes: +90 312 417 0476

Salutation: Dear Minister

3. Emergency Legislation Governor:

Mr Necati Bilican

Ola_anüstü Hal Valisi

Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR; 72084 DYVA TR "please forward to the Governor"; 72090 JASY TR

Faxes: +90 412 224 3572

Salutation: Dear Governor

COPIES TO:

President of Parliamentary Human Rights Commission:

Mr Demir Berbero_lu

nsan Haklar Inceleme Komisyonu Ba_kan_

TBMM

Ankara, Turkey

Fax: +90 312 420 5394

and to diplomatic representatives of TURKEY accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 October 1996